SEP 2.3 7005

09-26-05 10/066356

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Attorney Docket No. AM100547)

In re Patent of:)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
)	Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291
).	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith in the above-referenced patent are: (1) Request for Correction of Errors in Patent; (2) three pages of Form PTO/SB/44; (3) Statement of Antonia Nikitenko Under 37 C.F.R. § 1.324(b)(1); (4) separate Statements of Silvio Iera, Christopher A. Demerson, Jacqueline F. Lunetta, Michael F. MacEwan, Wayne G. McMahon, Arthur G. Mohan, Maria Papamichelakis and John R. Potoski Under 37 C.F.R. § 1.324(b)(2); (5) Statement of Consent of Sole Assignee Under 37 C.F.R. § 1.324(b)(3); and (6) three Declarations for Utility Patent Application. The Commissioner is authorized to charge processing fees per 37 C.F.R. §§ 1.20(a) & 1.20(b) of \$230.00 and any surcharge to Deposit Account No. 01-1425. A duplicate copy of this transmittal letter is enclosed for billing purposes.

Respectfully submitted,

SEP 2 9 2005

WYETH

Date: Leptember 23, 2005

By: Ane M. Rosen Kin

Anne M. Rosenblum Attorney for Patentees Registration No. 30,419

FILING BY EXPRESS MAIL UNDER 37 C.F.R. § 1.10

This correspondence and the accompanying documents identified hereinabove are being deposited with the U.S. Postal Service on September 23, 2005 to be delivered by the "Express Mail Post Office to Addressee" service under Mailing Label Number ED 777330152 US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Certificate of Correction Branch.

Anne M. Rosenblum

ANNE M. ROSENBLUM ATTORNEY AT LAW

163 DELAWARE AVENUE - SUITE 212 • DELMAR, NEW YORK 12054 • TELEPHONE: (518) 475-0611

SEP 2 9 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Attorney Docket No. AM100547)

In re Patent of:		•)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
		·)	Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291
)	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Request for Correction of Errors in Patent

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.322-1.324, Patentees respectfully request correction of errors appearing in the above-referenced patent. To simplify matters, the separate grounds in support of each correction have been consolidated and presented in this single request. The processing fees required by 37 C.F.R. §§ 1.323 & 1.324(b)(4) are being paid by charge to a deposit account authorized in the Transmittal Letter filed herewith. For the benefit of the Office staff, the text of the requested corrections is submitted on three pages of Form PTO/SB/44 attached hereto.

1. Petition To Correct Inventorship Under 37 C.F.R. § 1.324(a)

Pursuant to 37 C.F.R. § 1.324(a), Patentees respectfully request correction of the inventorship in the patent to add Antonia Nikitenko who had been inadvertently omitted from Application No. 10/066,356 and the declarations of record. It is asked that the Certificate of Correction be granted to name all of the actual inventors (see page 1 of the attached Form PTO/SB/44). For consistency, the order of the inventors has been changed to correspond to the order of the signatures on the supplemental Declarations for Utility Patent Application submitted herewith.

It recently came to light that the application that issued as U.S. Patent No. 6,806,366 on October 19, 2004 did not identify the correct inventive entity. The error was discovered as a consequence of an upcoming corporate Patent Award Dinner held in December of 2004 to honor the research scientists who had received a U.S. patent in their names during the past year at the Page 1 of 6

ANNE M. ROSENBLUM ATTORNEY AT LAW

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Pearl River, New York research facility of Wyeth. One of the original named inventors in the application, Dr. John Potoski, asked Dr. Antonia Nikitenko if she planned on attending the dinner, presuming that she knew about it, but Dr. Nikitenko had not received an invitation. She learned from her further discussion with Dr. Potoski that U.S. Patent No. 6,806,366 had issued; and he had thought that she was listed on the patent as a patentee with him. They had worked together in a collaborative effort with the other original named inventors to invent the subject matter that was claimed in the granted patent.

Dr. Antonia Nikitenko promptly notified the Patent Law Department at Wyeth of her omission from the issued patent and, following some initial meetings, the matter was sent to the undersigned attorney for an examination of the facts and determination of inventorship. After a thorough review of the claimed subject matter in both the issued patent and the allowed divisional Application No. 10/946,842 in view of all relevant notebooks and several telephone conferences, it was determined that Dr. Antonia Nikitenko should have been included in the earlier application and the division as an inventor. Furthermore, she had been unaware of the filing of the applications and the omission of her name from the inventive entity. It was clear that the error arose without any deceptive intention on the part of the person who through accidental error was not named as an inventor in the issued patent.

During the examination of the record to confirm inventorship, it became obvious that there might have been possible reasons to explain the error and show that it was an innocent mistake. The listing of the eight original joint inventors on the earlier Record of Invention had been submitted by one of the co-inventors, Dr. Christopher Demerson, from the research facility in St. Laurent, Canada. It appears that he had not been aware of the extent of the participation or contribution of each of the co-inventors working together in the research facility in Pearl River, New York; and, thus, unintentionally failed to include Dr. Nikitenko.

Moreover, the three declarations that had been executed by the original named inventors in the application issuing as U.S. Patent No. 6,806,366 had not listed the entire inventive entity on each document. It is confusing to see on close inspection of the record that all three declarations identified three different "first" inventors as Arthur G. Mohan, Silvio Iera and Michael F. McEwan. It is highly likely that this confusion may have contributed to the error in the inventive entity as originally filed, *i.e.*, none of the original named inventors would notice the inadvertent

Page 2 of 6

omission of the name of the ninth joint inventor Antonia Nikitenko in an executed declaration in the nonprovisional application. Dr. Mohan had signed a declaration by himself on a line that read "sole or first inventor" and did not identify any of the other joint inventors. Similarly, when three of the nine inventors signed their declaration in Pearl River, they would not have seen the entire inventive entity on their declaration and would have no indication of who might have been accidentally omitted as a joint inventor from their application. To complicate matters, each person in Pearl River signed the declaration on a different day. Because they did not sign the document at the same time and not all inventors were listed, they would have no reason to suspect that Dr. Nikitenko might not be asked to sign the declaration on a different day or to sign a different declaration altogether like Dr. Mohan had done.

Most importantly, since the evidence supports the fact that Dr. Nikitenko made significant contributions to the claimed invention in the patent, the correction to name Dr. Nikitenko as one of the actual inventors is necessary. In support of the request to correct inventorship of the patent, this request is accompanied by the following documentation and fee payment: Statement of Antonia Nikitenko Under 37 C.F.R. § 1.324(b)(1) that establishes that the error in inventorship occurred without deceptive intention on her part; three Declarations for Utility Patent Application that properly identify the entire inventive entity and have been executed by the actual inventors as required by 37 C.F.R. § 1.63; eight Statements Under 37 C.F.R. § 1.324(b)(2) by all of the current named inventors, specifically, Silvio Iera, Christopher A. Demerson, Jacqueline F. Lunetta, Michael F. MacEwan, Wayne G. McMahon, Arthur G. Mohan, Maria Papamichelakis and John R. Potoski, agreeing to the change of inventorship with no disagreement in regard to the requested change; Statement of Consent of Sole Assignee Under 37 C.F.R. § 1.324(b)(3) providing the written consent of the sole assignee to add Antonia Nikitenko to the inventive entity of the patent; and payment of the processing fee required by 37 C.F.R. § 1.324(b)(4) in the Transmittal Letter.

Apart from the current submission, it is mentioned that an assignment executed by Antonia Nikitenko on August 3, 2005 to transfer her entire right, title and interest in the patent to Wyeth (the sole assignee) had been sent to the U.S. Patent and Trademark Office on August 10, 2005 to be recorded in the Assignment records.

It is further noted for the record that the Request To Correct Inventorship Under 37 C.F.R. § 1.48(a) that was quickly filed together with timely payment of the issue and publication

Page 3 of 6

ANNE M. ROSENBLUM ATTORNEY AT LAW

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fees in the allowed divisional Application No. 10/946,842 to name Antonia Nikitenko has already been granted on September 2, 2005.

In view of the foregoing facts and the supporting documents demonstrating that through error, an inventor Antonia Nikitenko is not named in the issued patent and such error arose without any deceptive intention on her part, it is respectfully asked that the inventorship in the patent be corrected, Antonia Nikitenko be named as a joint inventor and the Certificate of Correction be granted to name all of the actual inventors in this patent.

2. Request To Correct Minor Errors Under 37 C.F.R. § 1.323

Pursuant to 37 C.F.R. § 1.323, Patentees respectfully request correction of minor errors occurring in Columns 6-8 in the patent and the issuance of the Certificate of Correction of applicants' mistake (see pages 1 and 2 of the attached Form PTO/SB/44). Payment of the appropriate fee set forth in 37 C.F.R. § 1.20(a) is being handled in the Transmittal Letter.

A cursory review of the situation will quickly show the Office that the Certificate of Correction is warranted to correct the minor errors appearing in the patent. It will also become clear that the mistakes for which the correction is sought are of a clerical nature or a typographical error; and the nature of the proposed correction does not involve changes which would constitute new matter or require reexamination. Since the mistakes do not affect claim scope and the requested correction thereof would not materially affect the scope or meaning of the patent, there is no reason to refuse the Certificate of Correction of applicants' mistake.

During the review process to determine the proper inventorship entity of the patent, certain errors came to light. The patented invention provides significant improvements over the procedure described in U.S. Patent No. 5,852,015 and summarized in Scheme I of U.S. Patent No. 6,806,366 (spanning the bottom of Columns 1 to 2). Notably, the starting material is in the *meta*-position, as also shown in Scheme II by Compound 1, *m*-nitrobenzenesulfonyl chloride (Column 3, below line 37). Scheme III (spanning Columns 5-8), however, incorrectly portrays that the substitution of the intermediate Compound 6 by sulfonamide is in the *ortho*-position, plus Compound 6 is missing two nitrogens and Compound 5 is missing the oxygen component of "NaO-," with the structural errors that are inconsistent with the full general Scheme I passing through to the structure in Columns 7 and 8. Merely looking at the starting material and the

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reactants of Scheme III in light of Scheme I from U.S. Patent No. 5,852,015, one of ordinary skill in the art would readily appreciate that these mistakes in the structures of Scheme III are obvious typographical or clerical drafting errors. Nevertheless, because the inconsistency between Schemes I and III may give rise to future confusion, Patentees respectfully ask that the Certificate of Correction be granted to correct the structures of Scheme III in the patent.

3. Request To Correct Printing Errors Under 37 C.F.R. § 1.322(a)(1)

Pursuant to 37 C.F.R. § 1.322(a)(1), Patentees respectfully request the issuance of the Certificate of Correction to correct two mistakes in the claims of the patent that were incurred through the fault of the Office. The text of the requested corrections is set forth on page 3 of the attached Form PTO/SB/44.

Specifically, Claim 2 erroneously states in the patent that the upper limit of the temperature is "about 250° C." However, Claim 2 had recited the temperature of about 25°C, as originally filed in the U.S. Patent and Trademark Office on January 31, 2002 on page 14, line 27 of the application and subsequently listed in the Amendment of May 10, 2004 without change. It is obvious that "about 250° C." is a printing error.

Claim 13 in the patent inaccurately states: "followed by additional of additional acetonitrile...." The phrase should have read: followed by addition of additional acetonitrile per the language of the corresponding Claim 17 originally filed in the Office on January 31, 2002 on page 17, line 3 of the patent application. Original Claim 17 was revised merely to remove "such as" in the Amendment of February 2, 2004 and then listed in the Amendment of May 10, 2004 without further change, but the phrase followed by addition of additional acetonitrile was never altered. It is evident that "followed by additional of additional acetonitrile" is a printing error.

Due to the mistakes in Claims 2 and 13 being clearly disclosed in the records of the Office, Patentees respectfully request that the Certificate of Correction be granted to correct the printing errors in the patent.

Page 5 of 6

In sum, Patentees respectfully request that all of the foregoing errors in the patent be corrected through the issuance of the Certificate of Correction. Favorable treatment is urged.

Thank you for your attention to this matter.

Respectfully submitted,

WYETH ·

Date: September 23, 2005

By: Have M. Rosenblum
Anne M. Rosenblum

Attorney for Patentees
Registration No. 30,419

FILING BY EXPRESS MAIL UNDER 37 C.F.R. § 1.10

This correspondence and the accompanying documents identified hereinabove are being deposited with the U.S. Postal Service on September 23, 2005 to be delivered by the "Express Mail Post Office to Addressee" service under Mailing Label Number ED 777330152 US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Certificate of Correction Branch.

Anne M. Rosenblum

Page 6 of 6

<u>1</u> of 3

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

PATENT NO.

6,806,366

APPLICATION NO.:

10/066,356

ISSUE DATE

10/19/2004

INVENTOR(S)

SILVIO IERA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front page, in item (75) Inventors, "Silvio Iera, Montreal (CA); Christopher A. Demerson, Kirkland (CA); Jacqueline F. Lunetta, Pierrefonds (CA); Maria Papamichelakis, Montreal (CA); Michael F. MacEwan, Monroe, NY (US); Wayne G. McMahon, Harriman, NY (US); John R. Potoski, West Nyack, NY (US); Arthur G. Mohan, Somerville, NJ (US)" should read: — Silvio Iera, Montreal (CA); Christopher A. Demerson, Kirkland (CA); Jacqueline F. Lunetta, Pierrefonds (CA); Michael F. MacEwan, Monroe, NY (US); Wayne G. McMahon, Harriman, NY (US); Arthur G. Mohan, Somerville, NJ (US); Maria Papamichelakis, Montreal (CA); John R. Potoski, West Nyack, NY (US); Antonia Nikitenko, Tarrytown, NY (US) --

Column 6, Scheme III, that middle portion of Compound 6 reading

should read

-; that upper right-hand portion of Compound 5 reading " o= - □ " should read -- o= - □ - □ - □ - -;

that lower left-hand portion of Compound 5 reading " HO-S=0 " should read -- N=0--S=0 --

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Wyeth

Five Giralda Farms

Madison, New Jersey 07940

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 3

PATENT NO.

: 6,806,366

APPLICATION NO.:

10/066,356

ISSUE DATE

10/19/2004

INVENTOR(S)

SILVIO IERA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 7, that upper left-hand portion of the structure reading "

Column 8, that lower right-hand portion of the structure reading "

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Wyeth

Five Giralda Farms

Madison, New Jersey 07940

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 3

(Also Furm PTO-1050)

of

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UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO.

6,806,366

APPLICATION NO.:

10/066,356

ISSUE DATE

10/19/2004

INVENTOR(S)

SILVIO IERA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 2, column 12, line 56, "250 °C." should read --25° C.--.

Claim 13, column 14, line 10, "by additional" should read -by addition -.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

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Five Giralda Farms

Madison, New Jersey 07940

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BARR			
In re Patent of:)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
		j	Confirmation No.: 4549
Filed:	01/31/2002	Ś	Customer No.: 25291
		Ś	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION	Ś	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID	Ś	•
	DISODIUM SALT	Ś	
		,	

Statement of Antonia Nikitenko Under 37 C.F.R. § 1.324(b)(1)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, ANTONIA NIKITENKO, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent with SILVIO IERA, CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, WAYNE G. McMAHON, ARTHUR G. MOHAN, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT, through accidental error, I had not been named as an inventor in the issued patent;

THAT the error in inventorship of failing to include me as an inventor of the patent occurred without any deceptive intention on my part;

FURTHER DECLARANT SAYETH NOT.

Dated this 3 day of August, 2005,

By Infoura Merfeules
ANTONIA NIKITENKO

STATE OF NEW YORK)	
)	
County of Rockland)	SS.

On this 314 day of 1, 2005, before me personally appeared ANTONIA NIKITENKO, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that she signed this statement of her own free will and for the purposes set forth.

Notzry Public

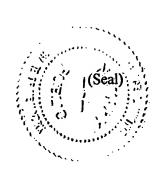
JANICE A. WHITE

NOTARY PUBLIC - STATE OF NEW YORK

NO. 01-WH6052604

QUALIFIED IN ROCKLAND COUNTY

MY COMMISSION EXPIRES 12-26-20





In re Patent of:)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
)	Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291
)	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Statement of Silvio Iera Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, SILVIO IERA, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, WAYNE G. McMAHON, ARTHUR G. MOHAN, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this <u>23</u> day of <u>Auguse</u>, 2005,

COUNTRY OF CANADA)	
).	
Province of Quebec)	ss.:

On this day of ______, 2005, before me personally appeared SILVIO IERA, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that he signed this statement of his own free will and for the purposes set forth.

Line MARTIN, notary

Notaryonthin Province of Quebec, Canada

My commission is for life

In re P	atent of:	OIPE)	U.S. Patent No. 6,806,366 Granted: 10/19/2004
	SILVIO IERA et al.	SEP 2 3 2005)	Appln. No.: 10/066,356 Confirmation No.: 4549
Filed:	01/31/2002	A COS)	Customer No.: 25291
For:	PREPARATION AN	D PURIFICATION)	Group Art Unit: 1624 Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISODIUM SALT	SULFONIC ACID)	

Statement of Christopher A. Demerson Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, CHRISTOPHER A. DEMERSON, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, WAYNE G. McMAHON, ARTHUR G. MOHAN, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this 23 day of August, 2005,

CHRISTOPHER A. DEMERSON

COUNTRY OF CANADA	
Province of Quebec) ss.:
On this 23rd day	of, 2005, before me personally appeared
CHRISTOPHER A. DEMER	SON, to me known and known to me to be the individual described
in and who executed the	foregoing statement, who, duly sworn by me, did depose and
acknowledge to me that he s	igned this statement of his own free will and for the purposes se
forth.	Creotion
·	Line MARTIN, notary
	for the Province of Quebec, Canada Notary promission is for life
	Trotal y 1 dollo

(Seál)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 1 of 3

PATENT NO. :

6,806,366

APPLICATION NO.:

10/066,356

ISSUE DATE

10/19/2004

INVENTOR(S)

SILVIO IERA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the front page, in item (75) Inventors, "Silvio Iera, Montreal (CA); Christopher A. Demerson, Kirkland (CA); Jacqueline F. Lunetta, Pierrefonds (CA); Maria Papamichelakis, Montreal (CA); Michael F. MacEwan, Monroe, NY (US); Wayne G. McMahon, Harriman, NY (US); John R. Potoski, West Nyack, NY (US); Arthur G. Mohan, Somerville, NJ (US)" should read: -- Silvio Iera, Montreal (CA); Christopher A. Demerson, Kirkland (CA); Jacqueline F. Lunetta, Pierrefonds (CA); Michael F. MacEwan, Monroe, NY (US); Wayne G. McMahon, Harriman, NY (US); Arthur G. Mohan, Somerville, NJ (US); Maria Papamichelakis, Montreal (CA); John R. Potoski, West Nyack, NY (US); Antonia Nikitenko, Tarrytown, NY (US) --

Column 6, Scheme III, that middle portion of Compound 6 reading "

that lower left-hand portion of Compound 5 reading " NO- S=0 " should read - NaO- S=0 -.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Wyeth

Five Giralda Farms

Madison, New Jersey 07940

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 3

PATENT NO.

6,806,366

APPLICATION NO.:

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ISSUE DATE

10/19/2004

INVENTOR(S)

SILVIO IERA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 7, that upper left-hand portion of the structure reading *

should read

Column 8, that lower right-hand portion of the structure reading "

should read

0=5=0 0=5=0

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Wyeth

Five Giralda Farms

Madison, New Jersey 07940

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 3 of 3

PATENT NO.

6,806,366

APPLICATION NO.:

10/066,356

ISSUE DATE

10/19/2004

INVENTOR(S)

SILVIO IERA et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Claim 2, column 12, line 56, "250 °C." should read --25° C.--.

Claim 13, column 14, line 10, "by additional" should read --by addition--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Wyeth

Five Giralda Farms

Madison, New Jersey 07940

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

fees in the allowed divisional Application No. 10/946,842 to name Antonia Nikitenko has already been granted on September 2, 2005.

In view of the foregoing facts and the supporting documents demonstrating that through error, an inventor Antonia Nikitenko is not named in the issued patent and such error arose without any deceptive intention on her part, it is respectfully asked that the inventorship in the patent be corrected, Antonia Nikitenko be named as a joint inventor and the Certificate of Correction be granted to name all of the actual inventors in this patent.

2. Request To Correct Minor Errors Under 37 C.F.R. § 1.323

Pursuant to 37 C.F.R. § 1.323, Patentees respectfully request correction of minor errors occurring in Columns 6-8 in the patent and the issuance of the Certificate of Correction of applicants' mistake (see pages 1 and 2 of the attached Form PTO/SB/44). Payment of the appropriate fee set forth in 37 C.F.R. § 1.20(a) is being handled in the Transmittal Letter.

A cursory review of the situation will quickly show the Office that the Certificate of Correction is warranted to correct-the minor errors appearing in the patent. It will also become clear that the mistakes for which the correction is sought are of a clerical nature or a typographical error; and the nature of the proposed correction does not involve changes which would constitute new matter or require reexamination. Since the mistakes do not affect claim scope and the requested correction thereof would not materially affect the scope or meaning of the patent, there is no reason to refuse the Certificate of Correction of applicants' mistake.

During the review process to determine the proper inventorship entity of the patent, certain errors came to light. The patented invention provides significant improvements over the procedure described in U.S. Patent No. 5,852,015 and summarized in Scheme I of U.S. Patent No. 6,806,366 (spanning the bottom of Columns 1 to 2). Notably, the starting material is in the *meta*-position, as also shown in Scheme II by Compound 1, *m*-nitrobenzenesulfonyl chloride (Column 3, below line 37). Scheme III (spanning Columns 5-8), however, incorrectly portrays that the substitution of the intermediate Compound 6 by sulfonamide is in the *ortho*-position, plus Compound 6 is missing two nitrogens and Compound 5 is missing the oxygen component of "NaO-," with the structural errors that are inconsistent with the full general Scheme I passing through to the structure in Columns 7 and 8. Merely looking at the starting material and the

Page 4 of 6

reactants of Scheme III in light of Scheme I from U.S. Patent No. 5,852,015, one of ordinary skill in the art would readily appreciate that these mistakes in the structures of Scheme III are obvious typographical or clerical drafting errors. Nevertheless, because the inconsistency between Schemes I and III may give rise to future confusion, Patentees respectfully ask that the Certificate of Correction be granted to correct the structures of Scheme III in the patent.

3. Request To Correct Printing Errors Under 37 C.F.R. § 1.322(a)(1)

Pursuant to 37 C.F.R. § 1.322(a)(1), Patentees respectfully request the issuance of the Certificate of Correction to correct two mistakes in the claims of the patent that were incurred through the fault of the Office. The text of the requested corrections is set forth on page 3 of the attached Form PTO/SB/44.

Specifically, Claim 2 erroneously states in the patent that the upper limit of the temperature is "about 250° C." However, Claim 2 had recited the temperature of about 25°C, as originally filed in the U.S. Patent and Trademark Office on January 31, 2002 on page 14, line 27 of the application and subsequently listed in the Amendment of May 10, 2004 without change. It is obvious that "about 250° C." is a printing error.

Claim 13 in the patent inaccurately states: "followed by additional of additional acetonitrile...." The phrase should have read: followed by addition of additional acetonitrile per the language of the corresponding Claim 17 originally filed in the Office on January 31, 2002 on page 17, line 3 of the patent application. Original Claim 17 was revised merely to remove "such as" in the Amendment of February 2, 2004 and then listed in the Amendment of May 10, 2004 without further change, but the phrase followed by addition of additional acetonitrile was never altered. It is evident that "followed by additional of additional acetonitrile" is a printing error.

Due to the mistakes in Claims 2 and 13 being clearly disclosed in the records of the Office, Patentees respectfully request that the Certificate of Correction be granted to correct the printing errors in the patent.

<i>In re</i> P	Patent of:)	U.S. Patent No. 6,806,366 Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356 Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291 Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION OF ANTIVIRAL DISULFONIC ACID DISODIUM SALT)	Examiner: K. Habte, Ph.D

Statement of Jacqueline F. Lunetta Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, JACQUELINE F. LUNETTA, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, CHRISTOPHER A. DEMERSON, MICHAEL F. MacEWAN, WAYNE G. McMAHON, ARTHUR G. MOHAN, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this 33 day of Question, 2005,

JACQUELINE F. LUNETTA

COUNTRY OF CANADA)	
)	
Province of Quebec)	ss.:

(Seal)

On this 3 day of 45, 2005, before me personally appeared JACQUELINE F. LUNETTA, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that she signed this statement of her own free will and for the purposes set forth.

Notary Public

Line MARTIN, notary

for the Province of Quebec, Canada

My commission is for life

Page 2 of 2

	Patent of:)	U.S. Patent No. 6,806,366 Granted: 10/19/2004
	SILVIO IERA et al. SEP 9 9 7005)	Appln. No.: 10/066,356 Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291 Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION OF ANTIVIRAL DISULFONIC ACID DISODIUM SALT)	Examiner: K. Habte, Ph.D.

Statement of Michael F. MacEwan Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, MICHAEL F. MacEWAN, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, WAYNE G. McMAHON, ARTHUR G. MOHAN, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this 04 day of MGUST, 2005,

MICHAEL F. MacEWAN

STATE OF NEW YORK)	
)	
County of Rockland)	SS.

On this <u>H</u> day of <u>August</u>, 2005, before me personally appeared MICHAEL F. MacEWAN, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that he signed this statement of his own free will and for the purposes set forth.

Notary Public

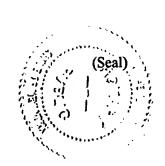
JANICE A. WHITE

NOTARY PUBLIC - STATE OF NEW YORK

NO. 01-WH8052604

QUALIFIED IN ROCKLAND COUNTY

MY COMMISSION EXPIRES 12-26-20





<i>In re</i> P	atent of:)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
)	Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291
)	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Statement of Wayne G. McMahon Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, WAYNE G. McMAHON, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, ARTHUR G. MOHAN, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this day of fugest, 2005

WAVIE CA

STATE OF NEW YORK)	
	·)	
County of Rockland)	SS.

On this S day of Suggest, 2005, before me personally appeared WAYNE G. McMAHON, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that he signed this statement of his own free will and for the purposes set forth.

Notary Public

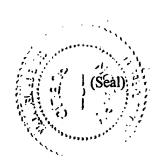
JANICE A. WHITE

NOTARY PUBLIC - STATE OF NEW YORK

NO. 01-WH6052604

QUALIFIED IN ROCKLAND COUNTY

MY COMMISSION EXPIRES 12-26-20





In re Patent of:)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
)	Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291
)	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Statement of Arthur G. Mohan Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, ARTHUR G. MOHAN, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, WAYNE G. McMAHON, MARIA PAPAMICHELAKIS and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this May of

Rv

ARTHUR G. MOHAN

STATE OF NEW JERSEY)	
County of Somerset)	SS.:
_	6	
On this 2 day of 3	lug	, 2005, before me personally appeared ARTHUR G.
MOHAN, to me known and	known	to me to be the individual described in and who executed
the foregoing statement, wh	o, duly	sworn by me, did depose and acknowledge to me that he
signed this statement of his or	wn free	will and for the purposes set forth.
		Brown Potts
		Notary Public

(Seal)



In re Patent of:)	U.S. Patent No. 6,806,366
)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
)	Confirmation No.: 4549
Filed:	01/31/2002)	Customer No.: 25291
		j	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Statement of Maria Papamichelakis Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, MARIA PAPAMICHELAKIS, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, WAYNE G. McMAHON, ARTHUR G. MOHAN and JOHN R. POTOSKI;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this 23rd day of August, 2005,

MARIA PAPAMICHEI AKIS

<u>ACKNOWLEDGEMENT</u>

COUNTRY OF CANADA)	
)	
Province of Quebec)	ss.:

On this 23 day of ______, 2005, before me personally appeared MARIA PAPAMICHELAKIS, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that she signed this statement of her own free will and for the purposes set forth.

Notary Public

Line MARTIN, notary

for the Province of Quebec, Canada

My commission is for life 🦠



In re Patent of:)	U.S. Patent No. 6,806,366
2,,,,,)	Granted: 10/19/2004
	SILVIO IERA et al.)	Appln. No.: 10/066,356
)	Confirmation No.: 4549
Filed	01/31/2002	j j	Customer No.: 25291
I liou.		j	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Statement of John R. Potoski Under 37 C.F.R. § 1.324(b)(2)

Dear Sir:

In support of the petition to correct inventorship under 37 C.F.R. § 1.324(a), I, JOHN R. POTOSKI, who after first being duly sworn, deposes and states:

THAT I am a joint inventor of the subject matter claimed in the above-referenced patent who is currently named with SILVIO IERA, CHRISTOPHER A. DEMERSON, JACQUELINE F. LUNETTA, MICHAEL F. MacEWAN, WAYNE G. McMAHON, ARTHUR G. MOHAN and MARIA PAPAMICHELAKIS;

THAT I have not submitted a statement under 37 C.F.R. § 1.324(b)(1);

THAT I agree to the change of inventorship to add ANTONIA NIKITENKO as an inventor with no disagreement in regard to the requested change;

FURTHER DECLARANT SAYETH NOT.

Dated this _ 5 day of August , 2005,

JOHN R. POTOSKI

County of Rockland)	ss.:		

STATE OF NEW YORK

On this <u>day of <u>August</u>, 2005, before me personally appeared JOHN R. POTOSKI, to me known and known to me to be the individual described in and who executed the foregoing statement, who, duly sworn by me, did depose and acknowledge to me that he signed this statement of his own free will and for the purposes set forth.</u>

Notary Public

JANICE A. WHITE

NOTARY PUBLIC - STATE OF NEW YORK

NO. 01-WH6052604

QUALIFIED IN ROCKLAND COUNTY

MY COMMISSION EXPIRES 12-26-20 04

(Seal)



In re Patent of:)	U.S. Patent No. 6,806,366
1,,,,,	with the same of t)	Granted: 10/19/2004
	SILVIO IERA et al.	j	Appln. No.: 10/066,356
	520 1.10 12.10 1	j	Confirmation No.: 4549
Filed	01/31/2002	Ś	Customer No.: 25291
i iioa.	0.13.1.2002)	Group Art Unit: 1624
For:	PREPARATION AND PURIFICATION)	Examiner: K. Habte, Ph.D.
	OF ANTIVIRAL DISULFONIC ACID)	
	DISODIUM SALT)	

Statement of Consent of Sole Assignee Under 37 C.F.R. § 1.324(h)(3)

Dear Sir:

I, WILLIAM H. CALNAN, being duly sworn, deposes and states:

THAT I am Assistant Secretary of Wyeth (formerly known as American Home Products Corporation), having an office at Five Giralda Farms, Madison, New Jersey 07940-0874;

THAT Wyeth is the sole owner of the entire right, title and interest in the above-referenced patent by virtue of three assignments executed by all of the parties submitting statements under 37 C.F.R. § 1.324(b)(2), which were recorded by the Assignment Division of the U.S. Patent and Trademark Office on Reel and Frame Nos. 012572/0296 on January 31, 2002, and a fourth assignment executed August 3, 2005 by the party submitting a statement under 37 C.F.R. § 1.324(b)(1), which is being recorded in the assignment records of the U.S. Patent and Trademark Office;

THAT I am authorized to act on behalf of the assignee in patent matters and, pursuant to said authority to act, do hereby agree to the change of inventorship in the patent to name ANTONIA NIKITENKO;

FURTHER DECLARANT SAYETH NOT.

Dated this A day of August, 2005,

WILLIAM H. CALNAN Assistant Secretary, Wyeth

Page 1 of 2

STATE OF NEW JERSEY)	•
).	
County of Morris)	ss.:

On this _____ day of August, 2005, before me personally appeared WILLIAM H. CALNAN, Assistant Secretary of Wyeth (formerly known as American Home Products Corporation), to me known and known to me to be the individual described in and who executed the foregoing instrument, who, duly sworn by me, did depose and acknowledge to me that he is the Assistant Secretary of Wyeth who executed the foregoing instrument for the purposes set forth, and that he signed it in the name and on behalf of the corporation.

MICHELLE L. KALBFELL NOTARY PUBLIC, State of New Jersey No. 2108903 Qualified in Morris County Commission Expires Oct. 25, 2005

(Seal)